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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,030	07/08/2003	Chang Kuei Tang	PO92205	6685

7590 10/27/2004

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EXAMINER

KAUFMAN, JOSEPH A

ART UNIT	PAPER NUMBER
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3754

DATE MAILED: 10/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/614,030

Applicant(s)

TANG, CHANG KUEI

Examiner

Joseph A. Kaufman

Art Unit

3754

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/28/2003
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____

Specification

1. The disclosure is objected to because of the following informalities: please check the entire specification for spelling and grammar errors. For example, on page 2, line 18, "assembly" should be "assembled"; on page 4, line 10, there should be a space between tap and 12; and on page 5, line 15, "overflows" should be "overflow". Further, on page 4, line 15, it appears that the water tap is shown in Figure 1 and not 2. On page 5, line 18, air inlet port should be referenced by "28" and not "29". Finally, on page 6, line 15, it appears that "cold" should be "hot". Once again, please check the entire specification for errors.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. Claims 6, 7 and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 6 and 7, line 1, there is a lack of antecedent basis for the latching member. The claims are confusing because in claim 1, latching devices are set forth and in claim 5, a latching part is recited.

In claim 9, line 3, there is a lack of antecedent basis for the one-way valve. It is unclear if the one-way valve should be positively recited in claim 9 or should be set forth in claim 1.

3. Please note, in claim 2, line 6, "tape" should be "tap".

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-5 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Desrosiers et al.

Desrosiers et al. shows a body 11; opening at 15; tank 14; tank opening 13; taps 71, 71'; pipes 63, 74; seat 12; latching device 51-55 as seen in Figure 1A; sealing member 12 seals the tank as seen in Figures 1A and 4; upper and lower chambers 14' and 14''; partitioning board 60; water outlet apertures 62, 65; outlet pipe 63; outlet aperture 65; outlet port 75; cooler 72; insulating material 73; U-shaped seat 30; water inlet and venting pipe 16; inlet aperture 40; pipe 46; contact surface seen in Figure 1A; L-shaped latching part 51-54 seen in Figure 1A; air inlet port 84; ring 53 and clip socket that receives 15 as seen in Figure 1A.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Desrosiers et al.

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Desrosiers et al. shows all claimed features, but lacks the multiple latching members. It would have been obvious to one of ordinary skill in the art to provide multiple latching devices with apertures instead of one large device as it would reduce the amount of material needed for the latching device which would save material cost and would also allow for failure of one of the connections while still permitting adequate latching.

8. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Desrosiers et al. in view of Burrows '961.

Desrosiers et al. has been discussed above, but lacks the valve arrangement for the vent. Burrows shows a one-way float valve 92 discussed in column 6, lines 4-12 for venting the tank. It would have been obvious to one of ordinary skill in the art to provide a one-way float valve as taught by Burrows on the device of Desrosiers et al. in order to prevent water from escaping through the venting device.

Conclusion


9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Burrows '826, '958 and '093, Moon et al. and Liccioni show other bottled beverage dispensers.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph A. Kaufman whose telephone number is (703) 308-0266. The examiner can normally be reached on Monday-Thursday, 5:30AM-2PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Mar can be reached on (703) 308-2087. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Joseph A. Kaufman
Primary Examiner
Art Unit 3754
10/26/04

jak
October 26, 2004